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ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE
FOR 1934-35, TO THE FINANCE COMMITTEE FOR 1934-35, AND
TO THE ADVISORY COMMITTEE OF THE MADRAS AND
SOUTHERN MAHRATTA RAILWAY COMPANY

8th March 1934]

[The President]

“In accordance with the regulations framed under Standing Order No. 80 for the purpose of election of Members to the Finance Committee by means of the single transferable vote, I fix 5 p.m. on Monday as the time within which notice of nominations should be given to the Secretary. If the number of candidates nominated exceeds the number of vacancies, viz., eight, there will be an election between 12 noon and 2 p.m. on Wednesday the 14th instant.

“With regard to the election of two Members to the Advisory Committee of the Madras and Southern Mahratta Railway, I would suggest that hon. Members hand in nominations to the Secretary before 3 p.m. on Monday the 12th instant. If the number of candidates nominated exceeds two, an election will be held between 12 noon and 2 p.m. on Tuesday the 13th instant. The election will be by the ordinary method and not according to the method of single transferable vote.

IV.—AMENDMENTS TO STANDING ORDERS OF THE MADRAS
LEGISLATIVE COUNCIL.

* The Hon. Sir MAHOMED USMAN:—“Sir, I beg to present the Report of the Select Committee appointed to consider certain draft amendments to the Standing Orders of the Madras Legislative Council and move that the report be taken into consideration.”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“I second it.”

The motion was put and carried.

Standing Order No. 2 was put and carried.

Standing Order No. 4.

* Mr. SAMI VENKATACHALAM CHETTI:—“Sir, I beg to move the following amendment:—

‘In line 2 for the figures and letters “11 a.m.” and “5 p.m.”, substitute the figures and letters “2 p.m.” and “6 p.m.” respectively.’

“My object is that this House may be enabled to sit during the afternoon instead of in the forenoon. A famous citizen of Madras said that Madras is nine months hot and three months hotter. 11 a.m. to 5 p.m. is not at all suitable for any serious work, particularly the first few hours of the forenoon. Coming as we do soon after breakfast—so far as Indian Members are concerned—and perhaps soon after a heavy meal so far as European Members are concerned, it is rather a great strain upon the activities of individuals who sit for serious work. It happened to be reading the lives of the Nawabs of the days of Jonn Company. They seem to have started their work early in the morning;

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as a matter of fact the hours between 11 a.m. and 3 p.m. were devoted to harem and hooka. This is not the first time when this question is raised. Some time ago this question was raised and the Government were in favour of it, though the mufassal Members were not quite willing for a change. I think the House need not be against this change simply because this change comes from a City Member. I am suggesting this change not only in the interest of the City Members alone but also in the interest of all concerned. I should think that poor attendance is solely due to the unsuitable hours in which we are meeting; between 2 to 6 or 7 p.m. will be more suitable for work. I do not think the Government need object to this change, for it will enable the Members of Government to prepare in the morning what they have got to say with regard to questions raised in the Council; they need not waste the previous day for this purpose. Early in the morning they may equip themselves with the necessary information, and in the afternoon the Council may meet. There will not be much serious inconvenience to the mufassal Members. They may leave the Council much earlier if there is a continuous sitting according to this change. With these words I move that the hours I have referred to be substituted for the hours in the Standing Order."

11-30
a.m.

* Dr. P. SUBBARAYAN:—"Sir, I rise to second this amendment. I think few words are needed from me to commend this amendment to the House. This question was not left unconsidered by the Conference, and the Conference came to the decision that they did not desire to express a decided opinion on this point but that they were in favour of the suggestion being considered by the Select Committee that was appointed to consider the revision of the Standing Orders. The Conference itself, you will remember, Mr. President, had an open mind on this question. Mr. Venkatachalam Chetti has given reasons for the change. It is not only a question of mere City Members. I cannot be counted as a City Member in more respects than one. (Rao Bahadur T. A. Ramalingam Chettiyar: 'But you are living here.') My friend, Mr. Ramalingam Chettiyar, may wait for my argument before he proceeds to interrupt me. As Mr. Venkatachalam Chetti pointed out, I think it would be to the convenience of the Members of the House if the morning hours were left free, especially for party meetings and other purposes such as the consideration of the agenda in advance both by the Members of Government and by the Leaders of Parties. I think it should be to the advantage of the House if the House meets in the afternoon, instead of meeting in the forenoon. I know that one of the difficulties that confront the Hon. Members of Government is that they feel that Hon. Members of the Legislative Council would like to sit from day to day, and that the number of days for which the Council meets in a year may be increased by this change in the hours of sitting. I can assure Hon. Members of Government that all the Members of this House are as much concerned with the financial plight of the province as Hon. Members sitting on the Treasury Bench, and we have our own responsibilities. There can be no question of extending the number of

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[Dr. P. Subbarayan]

days on which the Council would sit; on the other hand, if the Council sat continuously from 2 to 6 p.m., as is suggested by my hon. Friend, Mr. Sami Venkatachalam Chetti, I feel it might lead to expedition of business, and we might be able to get through the business before us more quickly than is the case at present, with the usual intervals allowed for lunch."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I am sorry I have to oppose the amendment moved by Mr. Venkatachalam Chetti and seconded by the Leader of the Opposition. In spite of the fact that the Leader of the Opposition protests that he is not a City Member, he is living in the City and he knows very little of the convenience of the mufassal Members coming here for the meetings of this Council. He has got his own house in Madras and he has so much work to do in the City, for which he has to find time. But most of the Members from the mufassal are not in the same position as he. They come here only for the Council work. Moreover, Sir, the proposed change will involve the reduction of the Council hours by one hour. In addition, we may probably have to adjourn for some time for tea or lunch—and that is another question to be considered. The Leader of the Opposition also spoke about party meetings being held in the forenoons. If according to Mr. Venkatachalam Chetti the early hours of the day are very hot and therefore if he does not want Members to come to the Council in the forenoon, how is he going to work for the party meetings or any other extra work that has to be done here? That being the case, I do not see that any case has been made out at all for a change. I was surprised, Sir, at the arguments put forward by Mr. Sami Venkatachalam Chetti. First, he said that there is very little work done from 11 a.m. to 2 p.m. He forgets that all the offices in the City, whether they be of the Government or of private agencies, are working from 10 o'clock to 5 o'clock. I do not see why in the Legislative Council alone we should think of cutting the day short by more than half and start work only at 2 o'clock.

"Then, Sir, as regards past history, on which he seems to have spent some time for making researches, I am sure Mr. Sami Venkatachalam Chetti does not want to follow the footsteps of the old Nawabs; and I do not think he is going to have as the avocations those people in those good old days had. The mufassal Members, as I said, are coming here only for the Legislative Council work. Whatever other work they have to do here, they do in the mornings. They come here at 11 o'clock and start work at once and they go back home in the evening at 5 or 6 o'clock and have some exercise. This will become impossible if the hours of work are now changed to 2 to 6 in the evening. Therefore, Sir, from every standpoint, it seems to me that the proposal now made is very unsuited to the work of the Council, more especially to the Members from the mufassal."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, I have also to disagree with my Leader. I am sorry for the same, but I have to do so because the Mover himself admitted that he moved this amendment on behalf of the City Members. (An hon. Member: 'He did not

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say so.') At least he said 'for the convenience of the City Members.' The reason that he gave as to the convenience of the mufassal Members is not at all convincing, and as was pointed out by Mr. Ramalingam Chettiyar, the mufassal Members come here only for the work connected with the Council. They do not have any other work to do. It was said by the Mover that the time may be from 2 to 7 o'clock and need not necessarily be 2 to 6 as stated in the amendment. That would mean a continuous sitting of five hours in the evening; that is a very tiresome affair and nobody will be able to give any serious attention to the work. If some time is to be given for tea in the evening, that would take away some time out of these five hours. The work of the Council cannot therefore be finished within the time allotted. Surely the Council will have to sit for some more days to finish the work. Therefore, Sir, I oppose the amendment."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I rise to oppose this amendment moved by Mr. Sami Venkatachalam Chetti. The hon. Member from Coimbatore has dealt with all the reasons that can be advanced for retaining the present hours, and I have very little to add to them beyond stating that it would be a real infliction on the Members of the House to expect them to sit continuously from 2 to 6 or, as my hon. Friend, Mr. Venkatachalam Chetti, suggested, to 7 o'clock. If this sort of arrangement will lead to any expedition of work, it can be only in this way: Probably from 2 to 4 or 4-30 p.m. we will be very attentive and afterwards when we begin to be tired out and are not able to really concentrate our attention, the Trasury Bench will be able to ride roughshod over us and get through their business. Beyond that, Sir, I am not able to see any advantage in this proposal, to have a continuous sitting of four hours from 2 to 6. As far as the question of sparse attendance is concerned, which my hon. Friend from the City ascribes to the heavy breakfast or dinner—I do not know what he calls it—and personally, if he takes his dinner at 10 o'clock in the morning, I can only be sorry for him—I would only say that we will continue to have the same thin House when we begin at 2 o'clock for the simple reason that if Members have to be here at 2 p.m. they will have to leave their homes at 1 or 1-30 in a scorching sun. As one coming from the mufassal, I should echo the feelings of my friends from Coimbatore and South Kanara, that we would be really wasting our time here. It is already troublesome for us to have to waste the whole morning and if the mufassal Members are to spend their time idly lolling about, from 10 to 2 p.m., I am sure it will be a very troublesome affair. I therefore very strongly oppose the amendment."

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, I am very sorry that the question is taking a turn which it ought not to have taken. Mr. Venkatachalam Chetti clearly stated at the very outset that he was not moving this motion either to suit the convenience of the City Members alone or on their behalf. He has made the motion after considering the convenience of the City Members, of the Government officials and also of the mufassal Members. So, my Friend,

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Mr. Schamnad, is quite inaccurate in saying that he made the motion only in the interests of the City Members. Now, Sir, one point of view from which we have to look at this question is this: This House, I take it, consists of Members who have other work also to attend to. We cannot assume that this House consists only of Members who have no other work to attend to. It is quite necessary that the Members of the House should have sufficient facilities to attend to their other work also, in addition to attending to the work of the Council. So far as inconvenience to the mufassal Members, is concerned, that is confined to the period from 5 to 6. Even now they are sitting up to 5 p.m.—or they are expected to sit—and if by the proposed change they are inconvenienced at all, it is only with regard to that period from 5 to 6; and I do not think the objection can be so much to their being taxed with work during this additional hour. The real objection of the mufassal Members, if I have understood them aright, seems to be that they are unemployed in the morning hours between 11 and 1-30, i.e., for $2\frac{1}{2}$ hours. My experience of Members coming from the mufassal is, however, that outside the hours they are occupied in this Council, they are very busy doing so many other kinds of work. As a matter of fact, most of them are gentlemen who have got some work or other to do in the City; they accumulate all their work to the period when they have to be here for Council work. Apart from that, is it not really in the interests of the public work which we have to carry on in the Council, that we should have at our disposal two or three hours more in order to study the questions coming up and prepare ourselves for the work to be done in the Council? After all, what is the additional thing that we will have to do? We will be asked to sit for one more hour in the Council, in the place of which we will get $2\frac{1}{2}$ hours in the morning which we can devote for the preparation of the Council work.

“Again, Sir, such of the Members here as happen to be lawyers know what amount of work they have to do to a client whose work is entrusted to them. I take it that every Member of the Council is a vakil representing millions of his constituents. If a vakil has to devote so much time to the work of a single client, how much more should we be devoting to the work that we are carrying on on behalf of such a large number of people? If I have studied the work of the Council in the right manner, I should think that the work of the Council will be more perfectly done if there is more time at the disposal of the Members for studying the questions that come up before the Council from day to day. So, from the point of view of mufassal Members also it is in the interests of work that has to be done here that I would support the change, so that they may have the morning hours at their disposal for preparing themselves for the questions that are to be discussed here.

“There is another thing, Sir. The hours of work in the Parliament is from three to half past ten in the night and there not all the Members are resident in the City—there are many who come from the mufassal. (A voice: ‘They are paid.’) As for pay, it is for my hon.

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Friends to make a suggestion at the time of the Budget that the Members of this House should be paid. What I am concerned with is the question of efficiency of the work. From the point of view of the work that has to be carried on in this Council, I have not the least doubt that work will be got on much more efficiently than at present if hon. Members have the forenoon at their disposal for preparing and studying the questions that come up to this House for consideration. It is particularly with that end in view that the hours of work of Parliament is fixed from 3 p.m. to half past ten—we are not going so far as that. At any rate by this amendment we are coming nearer to the hours of work obtaining there.

“There are two other aspects which we have to consider. The Conference convened by His Excellency with a view to suggesting these amendments have suggested two points which have to be considered by this House. One of them is that during the time that the Council is sitting, Select Committees which are appointed to consider Bills can sit in the forenoon and transact business. In that way even from the point of view of economy, it will be a gain to the Government. If it is not allowed, the Select Committees will have to sit on days subsequent to the sittings of the Council and this will mean financial loss to the Government, not to mention the inconvenience which will be caused to Members coming from the mufassal leaving much of their work unattended. In consideration of these, Sir, I support the amendment as it is necessary that the forenoon should be saved.

“There is another aspect also and it is very necessary for the Members of this Council to consider—this has been suggested by the Conference in their report—and it is the convenience of the Members of Government and Officers of Government who are nominated as Members and who have to attend the Council. Considering that their time also is the public time, it is the duty of this Council to take into consideration that aspect of the question also. I would request hon. Members not to look at this question as a matter between the city and the mufassal. It is not so. We have to look at the question from the point of view of efficiency of work and saving of public time.”

* Mr. R. MADANAGOPAL NAYUDU:—“Mr. President, Sir, I am really surprised that my hon. Friend, Mr. Sami Venkatachalam Chetti, should move an amendment that we should have the sittings of this Council between 2 to 6 in the afternoon. There are ten members of the Corporation who are also members of this Council. How does he propose to go on with the Budget by having a sitting of the Council in the evening? I am sure all the members of the Corporation will find it inconvenient to attend the meetings of the Corporation. Is he going to suggest morning sittings of the Corporation Council? If so,

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how many will attend, and how many will work? I think that the balance of convenience will be in favour of the present hours of sitting of the Council.

"As regards the one point Mr. Pocker referred to, namely, having the meetings of the Select Committee in the mornings, if really he is anxious that the meeting of the Select Committee should not cost any extra amount to the Government, I for one would, as has been already suggested, ask him if it will not be convenient to have the Select Committee meetings say between 5 to 7 in the evenings. This may be more convenient than having the meetings of the Select Committee in the mornings. Therefore, I feel that the balance of convenience is certainly in favour of the present hours of sitting. A change in the hours of sitting of the Council as is proposed, would certainly jeopardise much of the public work which we, several Members of this Council, are doing elsewhere in the City Corporation and various other institutions in the City."

* Mr. F. BIRLEY:—"Mr. President, Sir, I am one of those who favour this amendment. My reasons are mainly selfish. It must be inconvenient for many Members to attend the Council morning and afternoon and if it can possibly be arranged to sit from 2 to 6 or 1 to 6 if necessary, it would be more convenient to the majority of Members. Personally, I would prefer 6 to 10 in the mornings. (Laughter.) I do, however, hope that the Members will agree that the hours of the Council may be so fixed as to suit the majority of the Members."

* Rao Bahadur Sir A. P. PATRO:—"Mr. President, Sir, the Leader of the European group did not speak without any reason. He said that the strongest reason for his supporting the amendment was that he was selfish. Surely, I will not charge him with anything like that. I would say that he is very reasonable in suggesting, as reasonably as the Mover of this amendment, that the sittings should commence from 6 in the morning to 10 and meet again from 2 to 5. That is no doubt as reasonable as the amendment proposed by Mr. Sami Venkatachalam Chetti. I hope that it is not without reason that the hon. Mover has brought forward the amendment. Whatever may be the practice elsewhere, we, in this part of the country, are accustomed to do our work from 10 or 11 o'clock to 5 o'clock. All the officers commence their work from that hour. Judges of the High Court come to the Bench at that hour and vakils are also before them there. Therefore, absolutely no dislocation of any kind of work either here or anywhere else or any kind of inconvenience at any time has been felt. We have had no inconvenience, nor any section of the House had occasion to represent to the House that they have been handicapped or inconvenienced in their business owing to these hours of sitting. I sympathize with the businessmen. It would be better if they have some time to go to their offices to dispose of work there and come here after attending to their business. I can understand that kind of easy

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work but duty demands more than that, namely, if we are to do duty as Members of this Council, we must so arrange our time to enable us to attend to all our business even if it entails our working longer hours. The more busy a man, the better he ought to be able to adjust his time to his work. Therefore there is no reason whatever to say that any inconvenience is felt by the present hours of sitting. The hon. Mover has some reason but what that reason is he has not disclosed to us as yet. I find that some reason which Mr. B. Pocker discovered on behalf of the Mover is that efficiency of work demands the change. I fail to see what efficiency will be brought about by effecting this change. (A voice: You will better come prepared for the work.) I hope that in due course the hon. Member will enlighten us as to what efficiency will be gained by the Council sitting from 3 to 6 p.m. I have great sympathy with the suggestion of the Leader of the European Party. Surely that will be very helpful to us. Personally I would like to sympathize with him very much but on principle I am not able to do so. Hon. Members say that in the mornings much work could be turned out. What is the work that is going to be done? The Leader of the Opposition is doing his work as Leader of the Party and Party work is getting on without any kind of inconvenience. No member has said that Party work suffered or that Party meetings could not be held on account of the Council sitting between 11 to 5. How Party work would be facilitated and how efficiency could be created by a change in the hours of sitting still remain to be explained. I do not like any change at present. The present system is quite all right."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, it is, I think, the second time to my knowledge that this question has been raised on the floor of this House. Unfortunately, there seems to be a very artificial division made by certain hon. Members between members belonging to the City and those from the mufassal. I wish them to look into this question independently of this artificial and flimsy argument. As it is, in every other country where parliamentary system of Government is carried on, they have adopted the afternoon or the evenings as the time for carrying on parliamentary business. They have not done so without some reason or without an understanding of the condition of the place. When in a country like England which is much colder and climate is certainly very different from the climate of Madras, they are compelled to sit late at nights, sometimes till the early hours of the morning also, I wonder why hon. Members should have any objection to sit not in the night, not late in the evenings, not till the early hours of the morning but later by one hour. The question will then arise as to whether those hours are sufficient for the business that we are expected to carry on. As it is, we meet from 11 in the morning and adjourn at 1-30, excepting on Fridays when we adjourn at 1 p.m. and meet again at 3 p.m. and then we meet at 2-30 p.m. and go on till 5 p.m. Hon. Members who have experience

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of this House and of former Houses, I am sure, are aware of the fact that the longer we sit in this House the less is the business we do. I would like to understand the arguments that have been advanced or are likely to be advanced, that the logical conclusion of shorter hours is no hours at all. I suppose that also can be logic for some logicians, but we are laymen who also wish to be practical men and I do not think we need worry ourselves about this question.

“ Sir, I wish hon. Members coming from the mufassal do not look at the question from that point of view. Arguments have been advanced by hon. Members who have supported the motion that we will have more time at our disposal to devote ourselves—I mean to such of those as do not have any business in the City and even for those who have business in the City—to the preparation of the subjects that come up before us. The library is there, we have got very many libraries and so many other facilities at our disposal, and we do not make use of those facilities in connexion with the preparation for the business of the Council. Most of us come here, of course there are certain honourable exceptions, without preparation. I am sure there are some hon. Members who sit for some hours in the night for the preparation of the subjects that come up before the Council. But in order that we may have more time and to enable us to take advantage of the library and other facilities that we may come across—the Secretariat would certainly be available for them, and the Secretariat can also help them, so that they might minimize the business of the Council—it would be helpful to have the hours changed. It is of course very well understood that hon. Members who are well-acquainted with the subject take less time than hon. Members who are not well acquainted with the subject. Hon. Members may not agree to the change of time now, because conservative as we are, we want to adhere to old things and we do not want any change to be brought about in our habits and customs. As suggested by the hon. the Mover of this amendment, even though they will not agree to a change now in this Council, I am sure they will be compelled under the new Reformed Council to change the hours of our sitting. Without such a change, I am afraid, it will not be possible for us to sit day in and day out for a number of days in the year. The argument to hold the sittings of the Council from 6 to 10 in the morning will not hold good, because the Secretariat will not be there and then it would be inconvenient to the Secretariat and the Council office if they are asked to come very early in the mornings. Of course, it may be convenient for hon. Members to come here, but it would put the Secretariat to a good deal of inconvenience. So, the only thing we can do is to begin our work later on in the day, instead of at 11 or 12, and it need not necessarily be at 2; and in order to have more hours at our disposal it would be better if we meet at 1 o'clock and carry on our work till 6 p.m. with half an hour's interval for tea. Therefore I thought that instead of waiting for the new Reforms for a change, it would be better even for

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this Council if we come to some agreement, to try it as an experiment. I do not think that you should accept the amendment as it is, but instead of 2 p.m. we may begin at 1 p.m. and go on till 6 p.m. in the evening with an interval for tea.

"Then, Sir, with regard to the difficulty that was pointed out by my hon. Friend, Mr. Madanagopal Nayudu, coming as he does from the City, that our work in the Corporation will suffer, I consider that our work there can certainly be adjusted, because even in the Council we do not sit throughout the day. As a matter of fact we have a certain number of days' interval between the presentation of the Budget and the actual consideration of the demands, and on those days we can certainly arrange to have the budget of the Corporation considered and decided upon. I do not think that that argument need stand in the way of our coming to a decision on this question."

* The Hon. Sir MAHOMED USMAN :—"Mr. President, Sir, my hon. Friend, Mr. Sami Venkatachalam Chetti, made no case whatever for the change that he proposed. He referred to the heavy strain from which we all suffer in the Council by meeting here from 11 to 5. I am sure, hon. Members will realize that every kind of work involves some kind of strain or other. To say that it is a heavy strain to meet from 11 to 5 does not carry us any way. He said that Madras being very hot, it is not possible to meet from 11 to 5. I was astonished that a democrat like my hon. Friend, Mr. Sami Venkatachalam Chetti, should have deplored his lot on remaining in this palatial building from 11 to 5 when so many people including some of his voters are working in the hot sun outside. After all, we all know that in the hottest part of the year, namely, from April to July, for about four months, there is no meeting of the Council; so there is no meaning in the complaint.

"Then, Sir, my hon. Friend, Dr. Subbarayan, spoke of the financial responsibility of the Legislative Council. He said that Government alone should not think that they were responsible for the finances of this province and that the Members of the Legislative Council were equally so. But, what I say is, is it not better to run this institution with the minimum of expenditure rather than with the maximum? If we are to sit only for four hours, naturally we have to meet for more days and spend more money and therefore I am sure that hon. Members will agree that in the working of this institution, our aim ought to be that we should not spend more money than what is absolutely necessary.

"My hon. Friend, Mr. Pocker, spoke, of course, for his own personal convenience. He said that as a lawyer he wanted more time to attend to his court work. This argument does not appeal to me. He also said that if we meet for four hours, the House would be very efficient. I repudiate that statement. On the other hand, what will happen is, that the House will not be as efficient as it is at present. Already we know that during the Budget sessions, we are not able to

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finish more than 24 or 25 demands out of 39, when we sit for five hours a day. While we are working five hours a day we are not able to do more than 24 or 25 demands out of 39, surely we will do not more than 20 demands if the working hours are reduced to four. Thus the efficiency of the Council will suffer.

“ I find there has been no unanimity even among the non-official Members of this Council in regard to the matter. Some hon. Members want four hours and others five hours. All that I would suggest is, that the Leaders of the various Groups in the House should meet together and come to some agreement on this question. I agree with what my hon. Friend, Mr. Hameed Khan, has said, and that is, let us wait for a year or two till the new Reforms come into existence. Then we will be in a position to know the exact amount of work which this Council will be called upon to perform, and then I think, will be the time for effecting any change that may be found necessary. If hon. Members then think that the present hours are unsuitable, it is quite possible for them to devise some scheme which may be acceptable to the Government and the Legislative Council. But, I think at present let us continue the present practice.

“ Sir, my hon. Friend belonging to the European Group said that the present hours are inconvenient to them on account of their business. I would not dismiss that contention as Sir Patro has done. I realize the great assistance that Government has been receiving from hon. Members belonging to the European Group, whenever they think that we are in the right. I would request them to come to some agreement with the other groups.

“ Therefore, I would suggest once again, that for the present leave things as they are and when the new Reformed Council come into existence, change the hours, if necessary.

“ I have therefore to oppose this motion, because as I have said already the expenditure will increase and the efficiency of the Council will be affected to a certain extent by the proposed change.”

* Mr. SAMI VENKATACHALAM CHETTI:—“ Mr. President, it is very rarely indeed that we provoke the Hon. the Leader of the House. I am glad that my proposition served the purpose of eliciting a lengthy speech covering a number of subjects which I never anticipated to cover. Sir, my motion was an innocent one and it was not moved purely in the interests of the City Members. I only said that it will no doubt confer a good deal of benefits to Members representing the City—and there are also Members belonging to the mufassal living in the City—and I daresay it would not be a matter of inconvenience to hon. Members representing the mufassal. I am not going to base my case on that point. I am only repeating my argument that sitting from 2 to 6 or even 7 as the case may be, would certainly be more convenient than sitting from 11 to 1-30 and again from 2-30 to 5. It will be a matter of convenience also to hon. Members representing the

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mufassal. Without knowing by experience the advantages of the change and without knowing what the convenience would be, to say that the change would be inconvenient, it seems they are objecting merely without point against our representations. I am only surprised at the speech of Sir Patro and apart from serving no purpose, his speech was incoherent. So far as the City Members are concerned, I am sorry that my hon. Friend, Mr. Madanagopal Nayudu, has been set up to oppose this proposition"

Mr. R. MADANAGOPAL NAYUDU:—"Mr. President, Sir, on a matter of personal explanation, I repudiate the statement that I have been set up by anybody to oppose the motion. On the other hand, I oppose it in my individual capacity."

Mr. SAMI VENKATACHALAM CHETTI:—"Very well then. I take it that he has put his case on his own behalf. Sir, probably, he forgot that at one time Government also was of this view, as to whether the session of the Council should begin from 2 o'clock. If the Government have now changed their view, that is a different matter, but the Hon. the Leader of the House after an elaborate speech said that if the Leaders of the Groups confer and suggest constructive methods, Government would have no objection; and that is what we are doing. At the Conference held for the purpose of amending the Standing Orders, this matter was brought up and the Conference did not come to any decision. Probably they left the matter open for the decision of the House. Therefore it is a logical sequence of that Conference that the matter should be considered at a meeting of the Legislative Council. If the Government, in spite of the open mind that they assumed during the time of the Conference, now want to marshal their arguments against it, I have only to say that we are disappointed. I thought the Government will be neutral in this matter, allowing the matter to be settled according to the convenience of the Members coming from the districts. It is immaterial to the Government when it meets provided the hours of work are the same. I am rather surprised that the Hon. the Leader of the House should have referred to Members remaining in this palatial hall in so patronizing a way provided by the benign British Government of the Hon. Sir Mahomed Usman, while the voters are basking in the hot sun. If the voters are in the hot sun, it is neither his fault nor that of anybody. (A voice: It is the Government's fault.) If Hindu theology should be accepted then, Government representing God ought to be responsible for this. These views I put before you and leave the matter entirely to the House."

The motion was put and lost.

* Mr. SAMI VENKATACHALAM CHETTI:—"I move—

*'In line 5 of the proviso to the Standing Order omit the words
"which has been the subject of a question on that day"
occurring after the word "importance".'*

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“ Sir, with regard to this Standing Order, I unhesitatingly acknowledge with gratefulness the opportunity provided to the Members of this House to discuss matters of urgent importance at the end of the day. This is a new Parliamentary method, and the report says that His Excellency the Governor was responsible for introducing this change. But I am afraid that what is sought to be given by this change is likely to be taken away by the qualifications that are attached to raising a question at the end of the meeting. It is said that a Member can raise a debate on any matter of importance which has been the subject of a question on that day. From all points of view, I am afraid what we are likely to gain from this Standing Order is lost in other respects. In the first place, if a debate on any matter of urgent importance is allowed at the end of the meeting for about an hour without any division or without any full debate, the Hon. the President and the House might feel inclined to disallow ordinary adjournment motions. Ordinary adjournment motions have got a special significance of their own. They are primarily in the sense of a censure on the Government. As a matter of fact, that is the only opportunity for the Opposition to test the strength of the Government from time to time. If, on matters of such importance also, the debate that is contemplated in the new Standing Order is allowed, there may be a tendency on the part of the President and of the House to disallow important motions as adjournment motions. Apart from that, if the raising of a debate is confined to a matter which is the subject of the question of the day, it will further restrict the scope of the subject which can be taken for discussion at the end of the meeting. It would look, Sir, that, if the matter that should be taken up for debate at the end of the meeting, should be confined only to the subject raised during the question time, as there is ample scope for the hon. Members of the House to put supplementary questions on any subject that has been raised by means of a question, it would appear to be superfluous to allow the same question to be debated at the end of the meeting. But there may be instances when such subjects may be raised on a question to which the Government might not be in a position to answer fully at the time, but the Government might be able to get information which may be placed later on in the day. I quite concede it will be very convenient on such matters to raise such matter at the end of the meeting. Supposing two or three important matters are raised in question time in the course of one day, if at the end of the meeting only one question can be raised, the other two questions will be barred by time from being raised at any time. Therefore, Sir, the privilege that is sought to be conferred by allowing this matter to be raised at the end of the meeting will be very much restricted and will even prove disadvantageous to the Members if it should be confined to the subject that is raised during question time. I only suggest that any matter of urgent importance may be raised just after the question time so that the President might have fixed up for that evening for half an hour. I daresay that even the Government might feel the necessity for such a change. After all, putting down questions for answers for

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a particular day is not guided by any particular rule. As the answers are received, they are put down on the paper. Therefore, the Secretary will be not in a position to choose important or unimportant questions. They will be put down merely as a matter of routine. It might happen therefore on a particular day there may be two questions of very great importance and on a particular day there may be no questions of importance at all. It will only mean that very important questions for which opportunities are intended to be given by this rule cannot be on any day, except on the day when the question is raised. I do not think any convenience is caused by the amendment to the Government. If His Excellency and President are so generous as to give this Council an opportunity for a discussion, let it be given in full measure. I do not think the Parliamentary procedure restricts the discussion of such matters only during question time and on questions. I am therefore placing amendment for the acceptance of the Hon. the Leader of the House and the Government."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I second this amendment. The amendment, as it left the Conference, Mr. President, if you remember right, was as follows:—

'Provided that on notice given to the President, the President may in his discretion adjourn the Council at 5-30 p.m. instead of at 5 p.m. to enable any member to ask for any information or statement from a Member of Government on any matter within his special cognizance, and such Member of Government to give such information or make such statement.'

"As has been now amended and put forward before the House, you would see this right is restricted to this extent. The Member is allowed to raise a debate on any matter of importance which has been the subject of a question on that day. I have been told that the amendment as it now stands before the House is more in consonance with Parliamentary practice than what was suggested by the Conference. But to that my answer will be this. In the House of Commons, questions are put and Members of Government have got to give the answers within a fixed time. Therefore a Member who puts the question is always present on that day and the answer is given, and if he is not satisfied with that answer, he naturally raises it under the half an hour adjournment rule. But, Mr. President, you know the present practice as it prevails in this House. If only hon. Members would turn to the questions answered and the length of time taken to answer questions—for instance to-day question 727 put by my hon. Friend, Mr. A. S. Sahajanandam, was given notice of as long ago as 5th February 1934, and has been answered to-day, that is 8th March 1934. More than a month has passed since this question was put down. I am not taking this question as an example of the urgency of the matter concerned, but by the time the answer is put down, we have not got the House of Commons practice by which the Member concerned gets a notice if any question is to be answered. The hon. Member was not even here this morning and therefore was not in a position to take advantage of the half an hour adjournment if it existed. If hon. Members are prepared to follow Parliamentary practice in other matters, i.e., giving answers to the questions

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put, give notice to the Members asking questions about the time of answering it, and giving the Member an opportunity to raise a question by adjournment if he is dissatisfied with the answer. But if, according to the present practice, the answer is given months after the question is put down, I do not think any purpose will be served by this amendment, because the urgency of the matter would have passed long ago and the Member concerned may not be in a position to raise the question on an adjournment at all. Mr. President, if you remember right, this method was proposed by the Conference because there was a feeling that the time of the House was being wasted on adjournment motions even on matters which concern purely local interests. Adjournments have been moved when there was no intention either to censure or take to task the Member of Government concerned, in charge of the department. It was felt there must be some method by which hon. Members of the House may be able to raise any urgent and important matter and thus give opportunity to the Members of Government to explain why such action was taken. Not only would it be an advantage to the hon. Members of the House, but it will be an advantage to the public also. It would in a way allow opportunities to Government to explain a particular policy which they have adopted on a particular question. On the other hand, if this right is going to be restricted by means of questions put, I am afraid then it will not be as useful as people think. I would therefore personally appeal to the Hon. the Leader of the House to see whether our Standing Orders cannot be amended at least in the matter of questions so that urgent questions are put and Members of Government may be prepared to answer them in a day or two. If the answers given by the Members are not satisfactory, the Member who puts the question may be able to raise the question in the afternoon on an adjournment motion.

“ But as the rule stands now, even though an urgent question is admitted and the member concerned is fortunate enough to obtain your consent for the question being put, it may still not be put, because the Hon. Member of Government who is in charge of the department concerned, might refuse to accept short notice. Therefore, unless some such method could be found by which Hon. Members of Government may be in a position to give urgent answers to short notice questions enabling the interpellator to raise the question on an adjournment motion, if he is not satisfied, it is of no use. I am afraid, this amendment, even though it may look as if we are bringing our practice in consonance with the practice in the House of Commons, will not really lead us to the position which we want to attain. I would therefore ask the hon. the Leader of the House to see whether we cannot find out a method by which the object we have in view may be achieved.”

* The Hon. Sir MAHOMED USMAN:—“ Mr. President, all that I should like to point out is that what we are now doing is to give an additional privilege to the Members of the Legislative Council. As at present, hon. Members will have the right to ask questions and, if they

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are not satisfied with the answers, move for the adjournment of the House to censure the Government. The present proposal is a new privilege by which, if an hon. Member who puts the questions is not satisfied, he can raise the question during the half an hour enabling the Member of Government to give a detailed reply. If the hon. Member is not satisfied even with this, it is open to him to have the House adjourned to censure Government. If the condition that such a motion should be preceded by a question being asked should be done away with, I am afraid it is likely to be misused and almost everyday there may be adjournments and it might interfere with our normal work. Being a new thing, I would suggest that we should work this for some time, and, if it is to the advantage of the House, well and good; otherwise it will be necessary for us to consider the change suggested by Mr. Sami Venkatachalam Chetti.

"Then, Sir, Dr. Subbarayan made a constructive suggestion that, for the proper working of this, the Government should undertake to answer urgent questions sooner than we are doing at present, on short notice. Sir, I shall have the suggestion of my hon. Friend examined. I would therefore request the hon. Members to pass this and work it for some time and if it is not successful we can consider the necessity for a change. I hope the hon. Mover will withdraw his amendment."

* MR. SAMI VENKATACHALAM CHETTI:—"Sir, I agree it is an additional privilege, but I thought the privilege may be left unhampered by other qualifications. But if the hon. the Leader of the House wants some time to see how this privilege works, I would be wrong to obstruct such a gesture. I daresay, however, that there is no probability of this privilege being abused by the House inasmuch as the permission of the Hon. President, has to be obtained to raise the question.

"I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

Items II, III, IV and V—Standing Orders 4, 5, 7 and 8—were then put and carried.

VI—Standing Order No. 19.

* MR. SAMI VENKATACHALAM CHETTI:—"Sir, I move to—

'Omit the words "and obtain his consent . . . to make the motion" at the end in lines 7 and 8.'

"Sir, the amendment I am moving is really a very important one. I expect this House to take a dispassionate view of the change that has been suggested by the Select Committee on Standing Orders. Standing Order No. 19 runs thus:—

'A Member desirous of moving a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting of the Council at which he proposes to ask for leave of the Council to make his motion, hand to the President a written statement of the matter proposed to be discussed and obtain his consent to his asking for such leave to make the motion.'

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“ As it is, a motion for adjournment for the purpose of debate is subject only to two restrictions, namely, the leave of the President and the leave of the House. There is a third restriction and that is the right of His Excellency the Governor to disallow the motion at any stage. So far as His Excellency's right is concerned, it is a privilege in respect of every subject that is brought up before this House irrespective of other sanctions. Therefore, ignoring for the present His Excellency's right to allow or not, a motion, there are only two conditions which must be satisfied before a motion can be moved in the House. The history of these urgent motions seems to me that it is the privilege of the non-official Members of the House to interrupt the agenda that has been put down for the consideration of the House. It is the only right by which a Member of the House can stop the discussion of other matters to take up a matter which in his opinion is urgent. But, in order that the individual will might not dominate over the collective body, it is provided that that right to interrupt the agenda should be subject to the decision of the House. For this purpose a vote was generally taken on the motion made for considering a particular matter which is considered to be urgent irrespective of the speaker's permission. But, later on, it was also provided that, in order not to cause even the inconvenience of suspending for some time the regular business of the House by a vote being taken on the urgent motion, the speaker's permission was necessary. But all that the President has got to do is to decide whether the motion for which leave is sought to be moved satisfies the conditions laid down for the moving of ordinary motions. For moving ordinary motions there are certain restrictions. One of them is that the motion should not refer to a matter which is not allowed to be discussed by the Statute. It must not raise a matter which is not within the purview of the Local Government. All these tests have to be applied even to motions for the adjournment of the House. In the place of ballot and the scrutiny at the Secretariat of the Hon. the President, there is the scrutiny by the Hon. the President of the motion handed in by the Member wishing to make it. He will examine whether the motion satisfies the conditions laid down in the Standing Orders, and if it does so, allow the Member to ask for the leave of the House. If, at this stage, there should be any objection, the President would ask the Member to produce sufficient strength in order to allow that motion and if, more than 20 Members, according to the Standing Orders, come forward to support him, the motion would be allowed to be moved at a particular time fixed by the Hon. the President. This has been the practice hitherto followed in this Council. There is no other ground on which the President can exercise his authority of disallowing motions. The conditions under which he can disallow motions are laid down in the Standing Orders. It was never the intention of the framers of the Standing Orders or of the Legislative Council instructions to invest the President with any power irrespective of the powers laid down in the Standing Orders. It was not intended to invest the President with any autocratic power. As a matter of fact, if you examine the Standing Orders which are observed

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and the procedure that is maintained in the House of Commons and the general instructions guiding the procedure there, you will find not a word about the consent of the President being taken outside the House and in his room. As a matter of fact, there is a distinct statement in one of the small volumes found in the Library that this power was not intended as a general power of suppression of motions. What is exercised by the President is only an authority that can be exercised in the House subject to such criticism or censure as violation of the rules will entail upon the Speaker himself. If, in addition to these two conditions, the consent of the President also is insisted upon, as in the change now sought to be introduced, any Member of the House will have to anticipate what the urgent motion that he may have to move will be. As a matter of fact there are various instances necessitating the moving of urgent motions consequent on the unsatisfactory nature of the replies to questions put in the first hour of a day. If one such urgent motion is to be raised, it is impossible for the Member concerned to see the President in his room before the commencement of the sitting of the House and obtain his consent. I daresay it is not the intention either of the Government or of the President to rule out any urgent motion that may arise from the subject raised during question time. If, in these cases, you insist upon previous consent being obtained from the President, you will be practically ruling out the moving of urgent motions that might arise out of the questions answered by the Government. That is one inconvenience.

“ The second reason is that it becomes necessary for the President to remain in his room sufficiently early to receive urgent motions and decide whether he could give his consent or not. Supposing, Sir, the Hon. the President falls ill on a particular day and we have no idea who is going to be the officer who will preside on that particular day.

“ It may be the Deputy President, or it may be one of the Panel of Chairmen. Well, if an urgent motion has got to be tabled for that day, from whom is the hon. Member to obtain consent? That is the second thing.

“ Thirdly, what are the conditions under which the President is to allow or disallow, or rather, give or refuse to give his consent? Is his consent guided by any known or fixed principles? Or is it merely a matter of his will and condescension? I do not think any President would like to be put in a position of exercising his authority unguided by some rules or other. Suppose I give notice of a motion to the President, am I to depend on his condescension? If it is said that he has got certain principles to guide him, but that they must be different from those which are exercised in the House, what are those principles by which he would decline to give his consent, and which are not to be discussed in the House? That thing has not been made clear. I am not saying for the moment of other reasons which would influence the President to give or refuse his consent.

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"It is said, supposing more than one Member rises in his seat to make an urgent motion, whom should the President allow? Sir, that difficulty will arise, whether it is in the House or in his room. If it is in the House he can easily assess the relative importance of every motion which may be brought up and allow only one of the motions, disallowing the rest, because only one motion can be made. Moreover, the Standing Orders do not contemplate the possibility of more than one motion being raised during a particular day. After all, the person who catches the eye of the speaker will be the first to move the motion of adjournment, or among the several people that may rise up, as in the case of other motions, it is the person who catches the eye of the speaker that will be asked to move for leave, and the President, thereupon, having regard to the Standing Orders, or the tests provided in the Standing Orders will give his leave. Moreover, the Standing Orders also say distinctly that the handing over of the motion is just at the time when the Member asks for leave. Therefore it is clear that obtaining consent does not mean obtaining consent to make a motion asking for the leave of the House. Obtaining consent is only with regard to making a motion, and not for asking for leave to make a motion. I think the confusion arises in this way: it is presumed that the word 'consent' refers even to asking for leave. I do not think so, Sir. The 'consent' applies only to make a motion. Having regard to the fact that in none of the Standing Orders, either here or in the other rules of the Council Manual, there is provision for the previous consent of the President being taken and having regard to the fact that during the earlier period of this Council, no such consent was even asked for even for a motion asking for notice to move—all these things only corroborate my statement. Sir, I distinctly remember the time, when, soon after I became a Member of this Council for the first time, it was my lot to move an adjournment motion. The late Sir P. Rajagopalachariyar was then the President. Perhaps it is a matter well within the recollection of some hon. Members here. When I spoke to him in his room about the adjournment motion and was about to hand over to him a copy of the motion that I intended to move, he distinctly told me in so many words that the time to hand over the motion was at the time of asking for leave to make the motion. Though he knew the terms of the notice then, he did not officially receive a copy of the statement. And subsequently when I made the motion in the House, he received a copy of it; and no doubt he disallowed it. But that is quite intelligible. And latterly this question of previous notice cropped in on account of a change in the Standing Orders and fixing a time for the discussion of that urgent motion either on that day itself or the next day. It was due to the fact that Government might not be in the possession of all the information in respect of which the adjournment motion was moved that we agreed to the suggestion that the motion might be taken up the next day. It was due to this that the question of previously handing in the motion to the President came in. And during your predecessor's time, Sir, we acquired

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the idea that we should not surprise him with any new thing during the proceedings of the House. That was why he insisted upon the notice of an adjournment motion being handed over to him earlier. We did not object to that kind of thing, because there was no necessity to make any complaint. If necessary, if the President feels that he should be forewarned of a person intending to make a motion, what he used to do was only to ask for sufficient notice, and he did not insist upon the consent being taken. I therefore submit, Sir, that the change that is introduced is a change crippling the rights of the House; it is a change imposing a very irksome duty on the President and it is a change not calculated at any rate for either the convenience or the expedition of the business of the House. I therefore move that the words 'and obtain his consent to his asking for such leave to make the motion' be omitted."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, if I explain to my hon. Friend, Mr. Sami Venkatachalam Chetti, how this amendment came to be adopted after consideration by the Conference, he may find out why this amendment has been proposed. The actual practice as it exists in the House to-day, Mr. President,—if you remember rightly, and it has become a convention—is that if a member wishes to move an adjournment of the House he should give notice of it to the President in his room before the House sits, obtain his consent and move it afterwards. (Sami Venkatachalam Chetti: 'No, no. That is not so.') No, it has been the practice in this House, and I believe, it is being followed in all the other Indian Legislatures also. Of course, my Friend, Mr. Sami Venkatachalam Chetti, may quote the House of Commons practice. If the hon. Member is in the knowledge and possession of the facts existing in the House of Commons, he will find that the Speaker of the House of Commons is perhaps the biggest autocrat known in any House. His ruling prevails, and whatever ruling he may give, it has to be observed; and you will find an adjournment motion being disallowed, even though the Member of Government has no objection to its being moved, for if the Speaker finds that that privilege is being misused, he refuses to allow the adjournment motion to be moved. But here, on the other hand, I think our Presidents have been rather kind in the matter of adjournment motions. Time and again adjournment motions have been allowed, though, as a matter of fact, the strong hand of the President might have put an end to some of them, as they were not of such urgency or of importance. Therefore, if the restrictions imposed by this amendment give power to the President—and, after all, the President does not belong to any party of the House, but is only a keeper of the privileges of the House—I am sure any President, who sits in your Chair, Sir, is not going to misuse the power that is being vested in him. Therefore, I would ask my hon. Friend not to press his amendment, because, after all, it is confidence we are placing in the Chair and not in the Government. Suppose if the motion had been 'that the consent of the Member of the Government concerned,' I

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would have been the first to vehemently oppose it. But when it is vested in the Chair, I do not think, we, the Members of the House, need be concerned with it, because after all, the President is the keeper of the privileges of the whole House, and as such he will know whether a matter is urgent or important. And I am sure, Mr. President, you or your successors in office are not going in any way to restrict the freedom of the hon. Members of this House in raising questions of urgency or of public importance.

"And besides, I would point out to my hon. Friend, Mr. Sami Venkatachalam Chetti, this, that if a President is so biassed or partisan as to help only one particular side of the House, we have it in ourselves to teach such a President a lesson, because a motion of no-confidence in the President can certainly be moved. In my opinion it does not matter if the motion is lost. For the fact, that the President has acted in such a way as to give cause for such a motion being moved, will still stand against his impartiality."

* Khan Bahadur YAHYA ALI SAHIB Bahadur:—"Mr. President, Sir, after the lucid speech of the Leader of the Opposition I do not think there is much to be said in favour of the amendment of Mr. Sami Venkatachalam Chetti. My view of the amendment is that it will not serve the purpose for which it is intended and that further, obviously, it is impracticable. My hon. Friend is aware that a provision is made under the Legislative Council Rules, the effect of which is that the previous consent of the Chair has to be obtained before an adjournment motion is moved. The Legislative Council Rules are of greater force than the Standing Orders, inasmuch as they have been framed under powers vested in the Secretary of State under the Government of India Act. Therefore they are of higher authority than the Standing Orders. Rule 11 of the Madras Legislative Council Rules runs thus:—

"A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President."

"The rule of course does not specify the time when that consent has to be obtained. But we are aware of the fact that the same kind of language is used in other Acts, from which we can understand when that consent has to be obtained, and therefore when the Legislative Council Rules prescribe previous consent, we naturally know when that consent has to be obtained, i.e., the consent has to be obtained before the motion is made, and not as part of the making of the motion. Therefore my submission is that the power proposed to be vested in the President with regard to the giving of consent comes in only at a stage anterior in point of time to its being moved in the House. Besides, Sir, the further stages are described, such as the handing over of the paper and later on the President allowing or disallowing the motion on the ground of urgency or otherwise which has to be done in the House. Naturally these come in after the giving of the consent. Hence I feel, Sir, that this amendment is altogether ineffective and impracticable.

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"On the other hand the restrictions referred to by Mr. Sami Venkatachalam Chetti are still there in spite of the Standing Order; and so even if the Standing Orders are amended as desired, there are the Legislative Council Rules, which will still require that such consent should be previously obtained. Therefore it is I say that the amendment, even if it is carried, will not achieve the mover's object.

"With regard to the second aspect adverted to by Mr. Sami Venkatachalam Chetti, I wish to say a few words. I believe he said that the new Standing Orders practically give greater powers to the President, in that he is being vested with the power to consider the question even at the initial stage whether he should give his consent to an adjournment motion or not long before it is brought before the House. The object of moving an adjournment motion is that the Government should be in a position to consider over the matter and make a statement on the question raised in the motion. If the hon. Member who wishes to raise a debate on an adjournment motion does not want that the Government should make a statement on the question that is raised in the adjournment motion, then he need not give notice of moving his motion. So the object of giving notice of moving an adjournment motion in the room of the President is that he should be in a position to judge whether the Government will be able to come forward on that day itself and satisfy the hon. Member who gave notice of such a motion with regard to any information which he wanted or any grievance which he wanted to ventilate. If the President is given an opportunity of sounding this matter to the concerned Member of the Government and finding out whether the latter is prepared to come forward on the very same day with any information that the hon. Member who is going to move the motion wants or whether the Government Member is going to object to it, then it will be a great help to all concerned.

"Secondly, supposing the President is unaware of such a motion being made and as soon as questions are over and the work of the day is about to be taken up, he finds that a number of Members stand in their places thus signifying their intention to ask for leave to move adjournment motions on various matters, the President may not be able to decide all on a sudden one way or the other. As one of my hon. Friends pointed out, if there are multiple adjournment motions it will be difficult for the President to come to a conclusion as to which of them is comparatively more important than the other without being able to devote sufficient time for it. So any decision which he may make on the spot without applying his mind to the subject for a sufficiently long time, may expose him to all kinds of animadversions from the various sides of the House. I therefore submit that the amendment of my hon. Friend is not likely to promote smooth working of the Standing Orders. I therefore oppose the amendment."

* The Hon. Sir MAHOMED USMAN:—"All that I would like to say is that enough has been said by my hon. Friends, Dr. Subbarayan and

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Mr. Yahya Ali, as to why the Government cannot accept this amendment. Even if this amendment is accepted, it will be absolutely ineffective, for according to Rule 11, the consent of the President is necessary. The present practice has not given us any trouble. On the other hand it has smoothened matters. Supposing there are two adjournment motions and the President has to decide which of them shall have preference, then he would like a discussion in his room rather than in the open Council. Therefore the consent of the President must be taken before moving an adjournment motion and I hope my hon. Friend, Mr. Sami Venkatachalam Chetti, will not press his amendment."

* Rao Bahadur C. NATESA MUDALIYAR:—"There was a convention in this House that any adjournment motion to be moved was to be given notice of, though not legally, at least the President being told about it in his room. This was the practice even when the Council was first formed and Sir P. Rajagopalachari was its President. There was not a similar Standing Order then. In spite of that, we, in the Council, used to know that an adjournment motion was coming most probably on account of informal information which the President gets of the motion. What was then not legal is now sought to be legalized and we should be grateful to the Conference for attempting to legalise it. We have got a President who is always very anxious to safeguard the privileges and liberties of this House. So I request my hon. Friend, Mr. Sami Venkatachalam Chetti, not to press his amendment, taking into consideration what my hon. Friends, the Leader of the Opposition and Yahya Ali Sahib, were mentioning in their speeches."

* Mr. SAMI VENKATACHALAM CHETTI:—"I am sorry my hon. Friend, the Leader of the Opposition, though he set up an example of discussing these matters irrespective of party leanings has not thrown any light on the question that has been raised. I must say that my hon. Friend, Mr. Yahya Ali, has attempted at any rate to understand the motive and possibly the objections which arise from the change that is proposed. But I do not know if it was deliberate or unintentional that he omitted to make a distinction which exists between a motion for adjournment of the business and leave to make a motion for adjournment of the business. He is too much of a lawyer not to have noticed it. I should think the rules have made the distinction quite clear between a motion for adjournment and between a motion asking for leave to make a motion for adjournment. At the time of making the motion for adjournment the consent of the President ought to have been obtained. For leave to make the motion the consent of the President is not necessary. The President's consent can only be given in the open House provided the motion satisfies the conditions laid down under the Standing Order. The power vested in the President under Rule 11 can be exercised in the open House. Why should it be done in his room? It is not a consideration of Rule 11 that must govern the refusal of the consent. It must be different from what is laid

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down in rule. There are other things which are laid down in the Standing Order which must govern the giving of consent or the refusal to give consent and which must influence the President one way or the other. That is my point. It is no doubt a fact that in the other Provincial Legislatures this sort of consent is being obtained, and we accept that statement. But I am not sure with what other qualifications that that consent is got. It is a convention set up by the Conference of Presidents. I even now assert that the consent of the President is not necessary. If the President asks the opinion of the House and, if more than 20 members stand in their places, then he gives his consent, if the other conditions are satisfied. Some distinction ought to be made between 'notice' and 'consent.' I agree with hon. Members that the President should be forewarned of an adjournment motion being moved in the Council. Notice does not mean consent. What we are now doing is we are giving notice to him and he says 'you may make a motion.' That does not mean that his consent was final and that he has exercised every other right which he can exercise in the open Council. So with these remarks I press my motion."

The motion was put and lost.

Items VI, VII, VIII and IX (Standing Orders Nos. 19 and 20, 29, 29-A, 32 and 37) were put and carried.

Item X.—Standing Order No. 39.

* MR. SAMI VENKATACHALAM CHETTI:—"Sir, I have given notice to move the following amendment:—

- (4) In the proposed paragraph (3) (iii), in line 2, *insert* the words "or consequential" between the words "relevant" and "to."
- (5) In the proposed paragraph (6), *for* the second sentence, *substitute* the sentence "A Select Committee may sit at Madras or at the headquarters of the Government while the Council is not in session as may be fixed by the Member of Government concerned."

I do not move the first part of the item. As regards the second I concede it is wrongly worded. If the Hon. the Leader of the House is willing to agree to my amendment he may do so. Anyhow I shall explain my position. According to the draft amendment, the Select Committee may sit either at Madras or at the headquarters of the Government if it sits anywhere outside its usual place. It cannot sit anywhere else except by a resolution of the Member in charge of the Government while the Council is in session. What I wanted to provide was that a Select Committee which was formed and which was going on with its work might feel the necessity of changing the venue and

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may like to sit at any other place away from the headquarters of Government while the Council is not in session. If the Member in charge of the portfolio is agreeable, he may on his own initiative make the Select Committee sit outside the headquarters of Government. It is only a matter of convenience of the Government and if the Hon. the Leader of the House sees the reasonableness of my proposition, he may agree to my amendment."

* The Hon. Sir MAHOMED USMAN:—" I am sorry I am unable to see the reasonableness of the proposition. Hence I cannot accept it."

The amendment was, by leave withdrawn.

Items X to XVII (Standing Orders Nos. 39, 40, 41, 43, 48 and deletion of Standing Orders Nos. 60 and 64) were put and carried.

* The Hon. Sir MAHOMED USMAN:—" I now move that the amendments be passed. In doing so, I should just like to express our most grateful thanks to His Excellency the Governor for the great interest he has shown in the working of these Standing Orders and for the lead he has given us by bringing about a Conference with the Hon. the President, the Hon. the Leader of the Opposition and myself, and also for the interest he has taken in explaining the reasons to the Select Committee that met him informally as to why these changes were made. I must also say that we are very thankful to the Secretary to the Council for the able assistance he has given both to the Conference and to the Select Committee in connexion with these Standing Orders."

* Dr. P. SUBBARAYAN:—" In seconding this motion, I associate myself with the remarks that have fallen from the lips of the Hon. the Leader of the House. His Excellency was certainly most helpful in telling us the procedure that is followed in the House of Commons. We are indeed grateful for the additional privilege that has been given to this House by the amendment of Standing Order No. 4. I admit that it is advantage, but at the same time I may say that it does not go far enough. We are thankful to His Excellency for the help given in arriving at conclusions. But the Hon. the Leader of the House has said that if in the working of the Standing Orders the Government feel that the power given is such as cannot be made much use of, they will bear this in mind when amendments to Standing Orders are further considered.

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" In conclusion, I wish to thank you, Mr. President, for the part you took as Chairman of the Select Committee and our indefatigable Secretary of the Legislative Council for the way in which he drew up the Report of the Conference and for the work he did for the Select Committee in bringing together the various conflicting amendments and drawing up its report. With these words, I second the motion of the Hon. the Leader of the House."

The question that the amendments be passed was put and carried,